

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

THE CHARTER OAK FIRE  
INSURANCE COMPANY,

Plaintiff,

vs.

JON SHERNER, et al.,

Defendants.

CV 22-132-BLG-SPW

ORDER


Before the Court is Plaintiff The Charter Oak Fire Insurance Company and Defendants Jon and Tracey Shermer's Stipulated Motion for Dismissal With Prejudice of Defendants Timberline Gas, d/b/a/ Madison River Propane and H. Shephard Bailey. (Doc. 45). The parties have agreed to the dismissal of Defendants Timberline Gas and Bailey with prejudice, as they have not elected to appear or participate in this matter. (*Id.* at 2). The parties also have agreed that the Court's rulings on the cross-motions for summary judgment will be binding on Timberline Gas and Bailey. (*Id.*).

IT IS SO ORDERED that Plaintiff The Charter Oak Fire Insurance Company and Defendants Jon and Tracey Shermer's Stipulated Motion for Dismissal With

Prejudice of Defendants Timberline Gas, d/b/a/ Madison River Propane and H. Shephard Bailey (Doc. 45) is GRANTED.

The Clerk of Court is directed to enter judgment and close this matter.

DATED this 22<sup>nd</sup> day of January, 2024.

  
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SUSAN P. WATTERS  
United States District Judge